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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,487	04/09/2004	Sameh S. Rezeq	. TI-36599	1422

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EXAMINER

WILLIAMS, HOWARD L

ART UNIT PAPER NUMBER

2819

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

EJL

Office Action Summary	Application No. 10/821,487	Applicant(s) REZEQ ET AL	
	Examiner Howard L. Williams	Art Unit 2819	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>072904</u> . | 6) <input type="checkbox"/> Other: ____ |

The examiner acknowledges receipt on 29 July 2004 of an information disclosure statement. An initialed copy of the reference listing form should accompany this letter.

The drawings filed on 09 April 2004 are acceptable for examination.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-28 are rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent 5079551 to Kimura et al. Kimura et al. discloses an accumulator system for a delta-sigma modulator with the bits grouped by significance to a lower order group and higher order group. The carry bits from each accumulator stage are separately determined and passed up to the corresponding stage. Pre-accumulator logic for the higher order accumulator chain is embodied in delay element 32; fig. 1. with various inter-accumulator delay embodied by delay elements 36, 38, 42, 46, 48 and 52; all in fig. 1. Applicant claims an additional accumulator chain in claims 6, 14 and 24; Kimura although illustrating two chains in the figures also discloses in column 6, lines 42-43 that the principles are applicable to tertiary or higher order $\Sigma\Delta$ modulators also.

It also notable that the description filed provides that the splitter, accumulators, and combiner employed in the disclosed circuit are described as conventional pages 9, 10, 13, 14 and 19.


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent 5367691 to Johnson and U.S. Patent 6260055 to Sugeno et al. disclose bit significance grouped adders and U.S. Patent 4593271 to Candy discloses a MASH type interpolative DAC with noise cancellation.

Application No.: 10/821,487
Your Reference: TI-36599
Art Unit: 2819

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Howard L. Williams at telephone number (571) 272-1815.

5/10/05
Voice: (571) 272-1815


Howard L. Williams
Primary Examiner
Art Unit 2819